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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,920	11/24/2003	Craig L. Reding	03-1024	5236
32127	7590	11/29/2007		
VERIZON PATENT MANAGEMENT GROUP 1515 N. COURTHOUSE ROAD, SUITE 500 ARLINGTON, VA 22201-2909			EXAMINER PATEL, HEMANT SHANTILAL	
			ART UNIT 2614	PAPER NUMBER
			NOTIFICATION DATE 11/29/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No. 10/720,920	Applicant(s) REDING ET AL.	
	Examiner Hemant Patel	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The Applicant Response dated September 24, 2007 to an Office Action dated June 29, 2007 is entered. Claims 1-4, 6-12 are pending in this application.

Response to Arguments

2. Applicant's arguments filed September 24, 2007 have been fully considered but they are not persuasive.

3. **Regarding claim 1**, the Applicant has argued that Lazaridis does not disclose or suggest "receiving, at the server, a selection, made by the user, of another of the communication devices for which notifications are to be transmitted to the preferred communication device" because Lazaridis merely defines a host system (Remarks, pg. 6, ll. 13-pg. 7, ll. 6). The Examiner respectfully disagrees. The Applicant has selectively and conveniently ignored the part of quoted citation where Lazaridis clearly teaches that "the host system could be a network server connected to the user's PC via a local-area network ("LAN")". Thus, the selection made by the user and received at the host system is "receiving, at the server, a selection, made by the user". The Applicant is expected to consider the complete prior art as a reference for teachings in addition to certain portions indicated by the Examiner. Regarding the selection sent by the user (Remarks, pg. 7, ll. 7-15), Lazaridis clearly teaches of user-defined event triggers that include receiving the command message from the user's mobile data communication or external computer for redirection (col. 7, ll. 15-37). Regarding argument that Lazaridis "does not mention another one of the communication devices for which notifications are

to be transmitted to the preferred communication device” since Lazaridis teaches “The preferred list contains senders whose messages are to be redirected or a list of message characteristics that determine whether a message is to be redirected”

(Remarks, pg. 7, ll. 16-pg. 8, ll. 3). The Examiner respectfully disagrees. The message inherently includes a destination device address i.e. IP (Internet Protocol) address of device on Internet or a MAC (Media Access Control) address of a device on an Ethernet, to which the message is delivered. It is inherent to use this destination device address characteristic of a message, the selection of which is indicated by the user to the server, for alternate routing or forwarding for delivery of the message. If the system were to redirect the messages based only on the sender, then all messages from a particular sender directed to different devices of different users would be forcibly redirected to only one device irrespective of the devices selected by the recipients. Thus, it is inherent to use the destination device address characteristic of the message as selected by the user to determine the redirection of the message.

4. For the rest of the claims, the Applicant has relied on the same arguments as those for claim 1. The above discussion for claim 1 applies to these claims.

5. For the above reasons, the Applicant arguments are not persuasive and the claim rejections are reproduced below with more explanations where necessary for the Applicant's convenience.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-3, 6-8, 10-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Lazaridis (US Patent No. 6,463,464 B1).

Regarding claim 1, Lazaridis discloses a method for providing a notification to a preferred communication device of a plurality of communication devices associated with a user, wherein each of the communication devices can be designated as the preferred communication device, the method comprising:

receiving, at a server, a notification from one of the communication devices indicating that incoming data has been received at the one communication device (col. 8, ll. 43-55, send the message back over the LAN, WAN and gateway);

transmitting the received notification to the preferred communication device (col. 8, ll. 43-62, delivering repackaged email to mobile device); and

receiving, at the server, a selection, made by the user, of another one of the communication devices for which notifications are to be transmitted to the preferred communication device (col. 7, ll. 11-14; col. 8, ll. 6-9; user using mobile phone and remotely selecting computer device for which notifications are to be sent to the mobile

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phone and this selection is notified in a redirected message to the LAN, WAN and gateway col. 8, ll. 43-55; also col. 2, ll. 58-65; for server based redirector, the server directly gets the notification of this selection of another device by the mobile phone; The message inherently includes a destination device address i.e. IP (Internet Protocol) address of device on Internet or a MAC (Media Access Control) address of a device on an Ethernet, to which the message is delivered. It is inherent to use this destination device address characteristic of a message, the selection of which is indicated by the user to the server, for alternate routing or forwarding for delivery of the message. If the system were to redirect the messages based only on the sender, then all messages from a particular sender directed to different devices of different users would be forcibly redirected to only one device irrespective of the devices selected by the recipients. Thus, it is inherent to use the destination device address characteristic of the message as selected by the user to determine the redirection of the message. also col. 9, ll. 26-58).

Regarding claim 2, Lazaridis discloses a method of notification of email, which inherently is stored in the email server database until it is delivered.

Regarding claim 3, Lazaridis discloses selecting the device from wirelessly enabled hand-held computer, palm-top computer, a mobile phone or laptop (col. 6, ll. 38-44), and also FAX machine, a printer, voice mail (col. 6, ll. 14-37).

Regarding claim 6, Lazaridis discloses the redirecting of message and data based on selected senders (col. 12, ll. 15-16).

Regarding claim 7, Lazaridis discloses that the notification triggers to begin redirection of notifications are based on calendar event (col. 3, ll. 14-41; col. 11, ll. 35-37, ll. 43-46).

Regarding claim 8, Lazaridis discloses selecting the preferred communication device (col. 6, ll. 38-44) based on calendar event (time of day; col. 3, ll. 14-41; col. 11, ll. 35-37, ll. 43-46) **or** a sender (calling party) (col. 12, ll. 15-16).

Regarding claim 10, it recites an apparatus performing functionality substantially same as the method claimed in claim 1. Lazaridis discloses such a system (Fig. 1). Refer to rejection for claim 1.

Regarding claim 11, Lazaridis discloses storing of the preferred list of user-selected senders whose messages are to be redirected (col. 12, ll. 15-16).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

10. Claims 4, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lazaridis as applied to claims 1, 11 above, and further in view of Lee (US Patent No. 6,161,008; herein after referred to as Lee '008).

Regarding claim 4, Lazaridis discloses the use of calendar and programmable timer to start redirection of configured events (col. 3, ll. 14-41; col. 11, ll. 35-48; col. 12, ll. 17-31; these are provided by host system and host system is defined as the system performing redirection program, and this system is also network server col. 2, ll. 58-65).

Lazaridis is silent on explicitly specifying the time period.

However, in the same field of endeavor, Lee '008 teaches of user providing a selection of a time period during which notifications are provided to the preferred devices (col. 14, ll. 9-39).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Lazaridis to allow user to specify time period and corresponding device where he/she can be reached as taught by Lee '008 so that the user does not miss expected important communication (Lee '008, col. 14, ll. 15-17).

Regarding claim 12, refer to rejection for claim 11 and claim 4.

11. Claim 9 is rejected under 35 U.S.C. 102(e) as anticipated by Lazaridis as applied to claim 1 above or, in the alternative, under 35 U.S.C. 103(a) as obvious over Skidmore (US Patent Application Publication No. 2003/0036380 A1).

Regarding claim 9, Lazaridis discloses supporting any device capable of sending and receiving any data communication messages inherently suggesting the support for SMS (col. 6, ll. 38-44).

Lazaridis is silent on explicitly specifying the use of SMS.

However, in the same field of communication, Skidmore teaches of using SMS as notification message using email server for redirecting message from the home PC (Paragraph 0012).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Lazaridis to use SMS messages as taught by Skidmore in order to communicate with a mobile device using a ubiquitous short message service with a fixed cost per message.

12. Claim 9 is rejected under 35 U.S.C. 102(e) as anticipated by Lazaridis as applied to claim 1 above or, in the alternative, under 35 U.S.C. 103(a) as obvious over Tran (US Patent No. 6,154,646).

Regarding claim 9, Lazaridis discloses supporting any device capable of sending and receiving any data communication messages inherently suggesting the support for SMS (col. 6, ll. 38-44).

Lazaridis is silent on explicitly specifying the use of SMS.

However, in the same field of communication, Tran teaches of using SMS as notification message for call handling and redirection (col. 3, ll. 60-col. 4, ll. 9).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Lazaridis to use SMS message for notification in call handling and redirection as taught by Tran because SMS transport is real time, as opposed to Internet Protocol (IP) which not real time (Tran, col. 3, ll. 13-15).

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No.	7,174,306	Haseltine
US Patent No.	5,428,663	Grimes
US Patent No.	5,588,037	Fuller
US Patent No.	5,805,670	Pons
US Patent No.	6,031,896	Gardell
US Patent No.	6,058,163	Pattison
US Patent No.	6,134,318	O'Neil
US Patent No.	6,389,113	Silverman
US Patent No.	6,665,388	Bedingfield
US Patent No.	6,775,546	Fuller
US Patent No.	6,996,370	DeLoye
US Patent Application Publication No.	2002/0115471	DeLoye

US Patent Application Publication No.	2002/0137530	Karve
US Patent Application Publication No.	2002/0177410	Klein
US Patent Application Publication No.	2003/0092451	Holloway
US Patent Application Publication No.	2003/0096626	Sabo
US Patent Application Publication No.	2003/0104827	Moran
US Patent Application Publication No.	2002/0071539	Diamant
US Patent Application Publication No.	2004/0236792	Celik
US Patent No.	5,841,837	Fuller
US Patent No.	5,533,096	Bales
US Patent No.	5,742,095	Bryant
US Patent No.	5,745,561	Baker
US Patent No.	5,751,800	Ardon
US Patent No.	6,363,143	Fox
US Patent No.	6,876,736	Lamy
US Patent No.	6,882,838	Lee
US Patent No.	6,885,742	Smith
US Patent No.	7,027,435	Bardehle
US Patent Application Publication No.	2002/0018550	Hafez

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hemant Patel whose telephone number is 571-272-8620. The examiner can normally be reached on 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hemant Patel
Examiner
Art Unit 2614

HSP

M. Patel

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